

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRANDON E. PRAYER,

Defendant.

8:04CR440

ORDER

This matter is before the court on defendant's Judicial Notice of Facts Pursuant to Rule 201, [Filing No. 87](#). The defendant asks the court to take judicial notice of facts, to allow him to supplement the record, and to hold a hearing on the evidence presented.

The defendant plead guilty to counts I, III, IV, and V of the Superseding Indictment on August 3, 2007 and was sentenced on October 22, 2007 to the Bureau of Prisons for 110 months on Counts I, III, V and 84 months on Count IV to be served consecutive to counts I, III, and V followed by 3 years Supervised Release on Counts I, III, and V and five (5) years on Count IV to run concurrently, [Filing No. 58](#), Judgment. Neither a notice of appeal nor a motion to vacate under 28 U.S.C. § 2255 was filed.

The court's previous orders and findings are not changed due to the defendant's filing of judicial notice. A hearing will not be scheduled. Accordingly,

IT IS ORDERED THAT defendant's Judicial Notice of Facts, [Filing No. 87](#), is denied.

Dated this 19th day of September, 2018.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge